

REFERENCE TITLE: international medical licensees; provisional licensure

State of Arizona
Senate
Fifty-sixth Legislature
Second Regular Session
2024

SB 1406

Introduced by
Senators Shamp: Bolick, Carroll, Gowan, Kerr, Shope

AN ACT

AMENDING TITLE 32, CHAPTER 13, ARTICLE 2, ARIZONA REVISED STATUTES, BY
ADDING SECTION 32-1440; RELATING TO MEDICAL LICENSURE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 32, chapter 13, article 2, Arizona Revised
3 Statutes, is amended by adding section 32-1440, to read:

4 32-1440. International medical licensees; provisional
5 licensure; fees; renewal; conversion to full
6 licensure; disciplinary actions; definitions

7 A. NOTWITHSTANDING ANY OTHER LAW, THE BOARD MAY GRANT A PROVISIONAL
8 LICENSE TO ENGAGE IN THE PRACTICE OF MEDICINE IN THIS STATE TO ANY
9 INTERNATIONAL MEDICAL LICENSEE WHO MEETS ALL OF THE FOLLOWING:

10 1. HAS AN OFFER FOR EMPLOYMENT AS A PHYSICIAN AT ANY HEALTH CARE
11 PROVIDER THAT OPERATES IN AN AREA THAT IS DESIGNATED AS MEDICALLY
12 UNDERSERVED BY THE DEPARTMENT OF HEALTH SERVICES PURSUANT TO SECTION
13 36-2352.

14 2. HAS A FEDERAL IMMIGRATION STATUS THAT ALLOWS THE PERSON TO WORK
15 AS A PHYSICIAN IN THE UNITED STATES.

16 3. MEETS THE REQUIREMENTS FOR LICENSURE PRESCRIBED IN SECTION
17 32-1422, EXCEPT FOR SECTION 32-1422, SUBSECTION A, PARAGRAPH 2, AND, IF
18 APPLICABLE, SECTION 32-1423, PARAGRAPHS 1 AND 2.

19 B. THE BOARD BY RULE MAY ESTABLISH LICENSING AND RENEWAL FEES FOR
20 PROVISIONAL LICENSEES. A PROVISIONAL LICENSE SHALL BE RENEWED ANNUALLY.
21 THE INTERNATIONAL MEDICAL LICENSEE SHALL COMPLY WITH THE CONTINUING
22 EDUCATION REQUIREMENTS REQUIRED UNDER THIS CHAPTER AND THE RULES ADOPTED
23 PURSUANT TO THIS CHAPTER.

24 C. THE INTERNATIONAL MEDICAL LICENSEE'S EMPLOYER SHALL NOTIFY THE
25 BOARD IF THE INTERNATIONAL MEDICAL LICENSEE IS TERMINATED OR LEAVES
26 EMPLOYMENT FOR ANY REASON. WITHIN FIVE DAYS AFTER RECEIVING THE
27 NOTIFICATION FROM THE EMPLOYER, THE BOARD SHALL TERMINATE THE PROVISIONAL
28 LICENSE UNLESS THE INTERNATIONAL MEDICAL LICENSEE NOTIFIES THE BOARD THAT
29 THE INTERNATIONAL MEDICAL LICENSEE IS WORKING FOR ANOTHER EMPLOYER IN AN
30 AREA THAT IS DESIGNATED AS MEDICALLY UNDERSERVED BY THE DEPARTMENT OF
31 HEALTH SERVICES PURSUANT TO SECTION 36-2352.

32 D. AN EMPLOYER OF AN INTERNATIONAL MEDICAL LICENSEE MAY REQUIRE THE
33 LICENSEE TO TAKE A COMPETENCY TEST AT ANYTIME DURING EMPLOYMENT.

34 E. THE BOARD MAY DISCIPLINE A PROVISIONAL LICENSEE OR REVOKE A
35 PROVISIONAL LICENSE GRANTED PURSUANT TO THIS SECTION BASED ON CLEAR AND
36 COMPELLING EVIDENCE AFTER AN INVESTIGATION CONDUCTED PURSUANT TO SECTION
37 32-1451. A PROVISIONAL LICENSEE MAY APPEAL THE REVOCATION OF THE
38 PROVISIONAL LICENSE TO THE SUPERIOR COURT IN MARICOPA COUNTY PURSUANT TO
39 TITLE 12, CHAPTER 7, ARTICLE 6 WITHIN ONE HUNDRED TWENTY DAYS AFTER THE
40 DECISION OF THE BOARD TO REVOKE THE PROVISIONAL LICENSE. THE COURT SHALL
41 REINSTATE THE PROVISIONAL LICENSE IF THE COURT FINDS THAT THE BOARD'S
42 ACTIONS DID NOT MEET THE STANDARDS PRESCRIBED IN THIS SUBSECTION.

43 F. A PROVISIONAL LICENSE SHALL AUTOMATICALLY BE CONVERTED TO A FULL
44 LICENSE TO PRACTICE MEDICINE IN THIS STATE AFTER FOUR YEARS IF THE
45 PROVISIONAL LICENSEE MEETS BOTH OF THE FOLLOWING:

1 1. ENGAGES IN THE PRACTICE OF MEDICINE IN THIS STATE FOR FOUR YEARS
2 IN AN AREA THAT IS DESIGNATED AS MEDICALLY UNDERSERVED BY THE DEPARTMENT
3 OF HEALTH SERVICES PURSUANT TO SECTION 36-2352.

4 2. IS NOT DISCIPLINED BY THE BOARD DURING THAT FOUR-YEAR PERIOD OF
5 THE PROVISIONAL LICENSE.

6 G. THIS SECTION DOES NOT REQUIRE THE BOARD TO GRANT A PROVISIONAL
7 LICENSE TO AN INTERNATIONAL MEDICAL LICENSEE WHO DOES NOT PROVIDE ALL OF
8 THE FOLLOWING:

9 1. EVIDENCE OF SUBSTANTIALLY SIMILAR MEDICAL TRAINING AS THAT
10 REQUIRED BY THIS STATE.

11 2. EVIDENCE OF SATISFACTORY PASSAGE OF EXAMS.

12 3. A COMPLETE LICENSE APPLICATION.

13 4. PAYMENT OF ALL REQUIRED LICENSING FEES.

14 H. THE BOARD MAY REQUIRE AN APPLICANT INTERNATIONAL MEDICAL
15 LICENSEE TO SUBMIT ANY NECESSARY SUPPORTING APPLICATION MATERIALS SO THAT
16 THE BOARD MAY PROPERLY EVALUATE THE APPLICANT FOR LICENSURE.

17 I. THE BOARD MAY REQUIRE AN APPLICANT INTERNATIONAL MEDICAL
18 LICENSEE, AT THE APPLICANT'S EXPENSE, TO SUBMIT MEDICAL EDUCATION
19 INFORMATION THROUGH THE EDUCATIONAL COMMISSION FOR FOREIGN MEDICAL
20 GRADUATES OR ANOTHER THIRD-PARTY RECORDS SERVICE.

21 J. FOR THE PURPOSES OF THIS SECTION:

22 1. "HEALTH CARE PROVIDER":

23 (a) MEANS AN INDIVIDUAL, ENTITY, CORPORATION, PERSON OR
24 ORGANIZATION, WHETHER FOR-PROFIT OR NONPROFIT, THAT FURNISHES, BILLS FOR
25 OR IS PAID FOR HEALTH CARE PROCEDURES OR SERVICE DELIVERY IN THE NORMAL
26 COURSE OF BUSINESS.

27 (b) INCLUDES HEALTH SYSTEMS, HOSPITALS, HOSPITAL-BASED FACILITIES,
28 FREESTANDING EMERGENCY FACILITIES AND URGENT CARE CLINICS.

29 2. "INTERNATIONAL MEDICAL LICENSEE " MEANS AN INDIVIDUAL WHO MEETS
30 ALL OF THE FOLLOWING REQUIREMENTS:

31 (a) HAS BEEN GRANTED A MEDICAL DOCTORATE OR A SUBSTANTIALLY SIMILAR
32 DEGREE BY AN INTERNATIONAL MEDICAL PROGRAM OF GOOD STANDING.

33 (b) HAS COMPLETED A RESIDENCY OR SUBSTANTIALLY SIMILAR POSTGRADUATE
34 MEDICAL TRAINING RECOGNIZED BY THE LICENSING BODY OF THE COUNTRY WHERE THE
35 INDIVIDUAL IS LICENSED.

36 (c) POSSESSES BASIC FLUENCY IN THE ENGLISH LANGUAGE.

37 (d) HAS BEEN LICENSED TO PRACTICE MEDICINE WITHIN THE PRECEDING
38 FIVE YEARS IN ONE OR MORE OF THE FOLLOWING:

39 (i) AUSTRALIA.

40 (ii) CANADA.

41 (iii) HONG KONG.

42 (iv) IRELAND.

43 (v) ISRAEL.

44 (vi) NEW ZEALAND.

45 (vii) SINGAPORE.

1 (viii) SOUTH AFRICA.

2 (ix) SWITZERLAND.

3 (x) THE UNITED KINGDOM.

4 (xi) ANY ADDITIONAL COUNTRY ADDED BY THE BOARD.

5 (e) HAS PRACTICED MEDICINE IN THE LICENSING COUNTRY FOR AT LEAST
6 FIVE YEARS AFTER COMPLETING THE POSTGRADUATE TRAINING REQUIRED IN
7 SUBDIVISION (b) OF THIS PARAGRAPH.

8 3. "INTERNATIONAL MEDICAL PROGRAM" MEANS ANY MEDICAL SCHOOL,
9 RESIDENCY PROGRAM, MEDICAL INTERNSHIP PROGRAM OR ENTITY THAT PROVIDES
10 PHYSICIANS WITH A MEDICAL EDUCATION OR TRAINING THAT IS SUBSTANTIALLY
11 SIMILAR TO THAT REQUIRED TO PRACTICE AS A PHYSICIAN IN THIS STATE.

12 4. "PHYSICIAN" MEANS AN INDIVIDUAL WHO HAS OBTAINED A MEDICAL
13 DOCTORATE OR A SUBSTANTIALLY SIMILAR DEGREE AND WHO HAS COMPLETED A
14 RESIDENCY PROGRAM OR SUBSTANTIALLY SIMILAR POSTGRADUATE MEDICAL TRAINING.

15 Sec. 2. Effective date

16 Section 32-1440, Arizona Revised Statutes, as added by this act, is
17 effective from and after December 31, 2024.